

## REMARKS

Entry of this Amendment under 37 CFR §1.116 is respectfully requested. Upon entry of this amendment, claims 51-54 will be amended, with claims 5-10, 13, 18-23, 29-34, 37, 42-47, and 50-77 pending in the application.

The allowance of claims 5-10, 13, 18-23, 29-34, 37, 42-47 and 50 is acknowledged with appreciation.

The telephonic interview between the undersigned and Examiner Anwah on April 19, 2005 is acknowledged with appreciation. Agreement was reached during the interview that the proposed amendment to claims 51-54 as specified herein should overcome the §102 rejection in view of Ranalli, described below.

Claims 51-54, 56-58, 60, 62-64, 67-69, 71, 73-75, and 77 were rejected under 35 USC §102(e) in view of US Patent No. 6,539,077 to Ranalli.

The Final Action asserted on pages 6-7 that Applicant's arguments were unpersuasive based on the argument that the claims did not explicitly specify that the connecting cable (distinct from the voice-grade media connection) was *coupled to the recording device*. Hence, the Examiner asserted the broadest reasonable interpretation of the claimed connecting cable to encompass the handset cord:

[T]he cord between the handset and the base is functionally equivalent to the claimed connecting cable (because the handset's cord is coupled to the base of the telephony device and speech signals are received via the handset of the telephony device.)

This interpretation, however, is inconsistent with the specification, which explicitly describes with reference to Figure 2B that the connecting cable 44 is coupled to the recording device 12, *and is distinct from the handset cord* (see, e.g., page 6, line 27 to page 7, line 2).

Hence, the interpretation by the Examiner of interpreting the claimed connecting cable as covering the disclosed handset cord is unreasonable because it is inconsistent with the specification. “[C]laims are not to be read in a vacuum, and limitations therein are to be interpreted in light of the specification in giving them their ‘broadest reasonable interpretation.’” MPEP § 2111.01 at 2100-37 (Rev. 1, Feb. 2000) (quoting In re Marosi, 218 USPQ 289, 292 (Fed. Cir. 1983)(emphasis in original)).

Further, claim 52 did explicitly specify “a connecting cable **coupled to the device, the connecting cable coupled to a coupler of the telephony device** and distinct from any voice-grade media connection....”

In order to advance prosecution, however, independent claims 51, 53 and 54 have been amended to clarify that the connecting cable is coupled to the recording device as well as the coupler of the telephony device; claim 52 has been amended to clarify the “device” is the “recording device”, ensuring compliance with 35 USC § 112, second paragraph. Hence, it is believed that claims 51-54 as amended simply clarify the feature that was already previously claimed, namely that the speech signals from the telephony device are received by the recording device from a connecting cable that is coupled to the recording device and a coupler of the telephony device.

As described above, the Examiner indicated during the telephonic interview that this claimed feature (receiving the speech signals via a connecting cable coupled to the recording device and a coupler of the telephony device) was not shown in Ranalli et al.

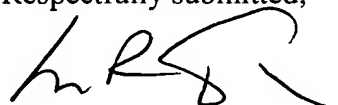
For these and other reasons, the §102 rejection of claims 51-54, 56-58, 60, 62-64, 67-69, 71, 73-75, and 77 should be withdrawn.

It is believed that claims 55, 59, 61, 65, 66, 70, 72, and 76 are allowable in view their dependency from the respective independent claims; hence, the §103 rejection should be withdrawn.

In view of the above, it is believed this application is in condition for allowance, and such a Notice is respectfully solicited.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-1130, under Order No. 95-475, and please credit any excess fees to such deposit account.

Respectfully submitted,



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